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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,476	03/09/2004	Chien-Hao Wu	10113901	2298

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QUINTERO LAW OFFICE, PC
2210 MAIN STREET, SUITE 200
SANTA MONICA, CA 90405

EXAMINER

SURYAWANSHI, SURESH

ART UNIT PAPER NUMBER

2115

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/21/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/796,476

Applicant(s)

WU ET AL.

Examiner

Suresh K. Suryawanshi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 11-17 and 24-26 is/are rejected.
- 7) ☒ Claim(s) 5-10 and 18-23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-26 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Ding (US Patent 6,430,663).

4. As per claim 1, Ding discloses a computer system provided to operate in multiple operation modes, comprising:

a storage device having a first disk partition and a second disk partition [Fig. 1; col. 4, lines 52-55; a single drive having a first disk partition SN1 and a second disk partition SN2], in which the first disk partition stores a first operating system to enable the computer system to boot and run in a first operation mode, and the second disk partition stores a second operating system to enable the computer system to boot and run in a sub-mode of a second operation mode [Fig. 2B, 2C; clearly showing that the first disk partition stores a first operating system (Original Boot)

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and the second disk partition stores a second operating system (Rezooom Boot); col. 2, lines 18-59; col. 4, lines 24-27]; and

a mode controller having a status indicating an operation mode of the computer system [col. 2, lines 49-59; col. 6, lines 54-55; a boot flag indicating an operating mode of the computer system], wherein the storage device further comprises a master boot program to detect the status of the mode controller [col. 4, lines 52-63; col. 5, lines 4-7; col. 5, line 56 -- col. 6, line 9; a master boot record (MBR) detects the status of an operating mode], hide the second disk partition [Fig. 2C, 4; hide non-selected partition], boot the computer system from the first disk partition [Fig. 2C, 6A; hide Rezooom boot partition and boot with Original Boot Partition], load the first operating system therein [Fig. 2C, 6A; booting with the first operating system (Original Boot)], and thereby enable the computer system to run in the first operation mode if the status of the mode controller indicates the first operation mode [col. 2, lines 49-59; col. 5, lines 37-47; the first operating system (Original Boot) will be run as indicated by the boot flag], and activate the second disk partition [Fig. 3A; selected partition becomes the booting partition], boot the computer system from the second disk partition, load the second operating system therein [Fig. 3A, 6B; system is booted with the selected second disk partition], and thereby enable the computer system to run in a selected sub-mode of the second operation mode if the status of the mode controller indicates the selected sub-mode of the second operation mode [col. 2, lines 49-59; col. 5, lines 37-47; the second operating system (Rezooom Boot) will be run as indicated by the boot flag].

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5. As per claim 14, Ding discloses a method for operating a computer system in multiple modes, comprising the steps of:

providing a storage device having a first disk partition and a second disk partition in the computer system [Fig. 1; col. 4, lines 52-55; a single drive having a first disk partition SN1 and a second disk partition SN2], in which the first disk partition stores a first operating system and the second disk partition stores a second operating system [Fig. 2B, 2C; clearly showing that the first disk partition stores a first operating system (Original Boot) and the second disk partition stores a second operating system (Rezoom Boot)]; col. 2, lines 18-59; col. 4, lines 24-27];

providing a mode controller having at least one status indicating an operation mode of the computer system [col. 2, lines 49-59; col. 6, lines 54-55; a boot flag indicating an operating mode of the computer system];

checking the status of the mode controller by a master boot program [col. 4, lines 52-63; col. 5, lines 4-7; col. 5, line 56 -- col. 6, line 9; a master boot record (MBR) detects the status of an operating mode];

if the status of the mode controller indicates that the operation mode of the computer system is a first operation mode, hiding the second disk partition, booting the computer system from the first disk partition, loading the first operating system therein, thereby enabling the

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computer system to run in the first operation mode [col. 2, lines 49-59; col. 5, lines 37-47; the first operating system (Original Boot) will be run as indicated by the boot flag; Fig. 4; hide non-selected partition; Fig. 2C, 6A; hide Rezoom Boot partition and thereby enabling the computer system to run in the first operation mode]; and

if the status of the mode controller indicates that the operation mode of the computer system is a sub-mode of a second operation mode, activating the second disk partition, booting the computer system from the second disk partition, loading the second operating system therein, thereby enabling the computer system to run in the sub-mode of the second operation mode [col. 2, lines 49-59; col. 5, lines 37-47; the second operating system (Rezoom Boot) will run if the boot flag indicates to select the second boot partition in the similar way as the first operating system (Original Boot) runs].

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2-4, 11-13, 15-17 and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ding (US Patent 6,430,663) in view of Jacobs et al (US Patent 6,819,961; hereinafter Jacobs).

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8. As per claim 2, Ding discloses the invention substantially. Ding does not expressly disclose utilizing different BIOS when a second operating system from a second partition of a disk is selected to boot a computer system. But a routineer in the art would use different or modified BIOS when booting a computer system from a second different operating system. The second different operating system could be different in characteristics in comparison of the first operating system. However, Jacobs clearly discloses utilizing two different BIOS for two different operating modes [col. 4, lines 37-67; convention BIOS ROM for normal computer operational mode and audio CD mode ROM for operating the computer in audio CD mode]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cited references as both are directed to run a computer system in two different operating modes with two different operating systems. Moreover, it is clear from the discloser of Jacobs that running a computer system in two different operating modes will require somewhat two different BIOS.

9. As per claim 3, Ding discloses the invention substantially. Ding does not expressly disclose purifying an operating environment. But a routineer in the art would modify the operating environment according to a booting operating system. However, Jacobs clearly discloses how to purify the operating environment according to an operating mode of operation [full mode of operation or an audio CD mode; col. 1, lines 28-47; col. 3, line 64 -- col. 4, line 10; col. 4, lines 37-52; col. 6, line 66 -- col. 7, line 10]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cited references

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as both are directed to run a computer system in two different operating modes with two different operating systems. Moreover, it is clear from the discloser of Jacobs that running a computer system in two different operating modes will require somewhat two different operating environments.

10. As per claim 4, Ding discloses the invention substantially. Ding does not expressly disclose purifying the operating environment of the second operating system by limiting the use of keyboard and mouse of the computer system, and disabling PNP (Plug and Play) functions of the compute system. However, Jacobs clearly discloses purifying the operating environment of the second operating system by limiting it to an audio CD mode [col. 1, lines 28-47; col. 3, line 64 -- col. 4, line 10; col. 4, lines 37-52; col. 6, line 66 -- col. 7, line 10]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cited references as both are directed to run a computer system in two different operating modes with two different operating systems. Moreover, it is clear from the discloser of Jacobs that it is possible to purify the operating environment of the second operating system by limiting the use of keyboard and mouse and disabling PNP functions of the compute system.

11. As per claim 11, Ding discloses the invention substantially. Ding does not expressly disclose about executing a resident program to detect the status of the mode and display. However, Jacobs clearly discloses detecting the audio CD mode switch is enabled and displaying

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the audio CD mode on a display screen [col. 3, line 64 -- col. 36, line 10; col. 6, line 66 -- col. 7, line 28; col. 7, lines 40-43]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cited references as both are directed to run a computer system in two different operating modes with two different operating systems.

Moreover, it is clear from the discloser of Jacobs that it is possible to have a resident program to detect the status of the mode of operation and display it on a display screen.

12. As per claim 12, Ding discloses the invention substantially. Ding does not expressly disclose that the second operation mode include music playing mode. However, Jacobs clearly discloses that the second operating mode of the computer system is an audio CD mode [col. 1, lines 28-47; col. 3, line 64 -- col. 4, line 10; col. 4, lines 37-52]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cited references as both are directed to run a computer system in two different operating modes with two different operating systems. Moreover, it is clear from the discloser of Jacobs that the second operating mode of the computer system can be an audio CD mode.

13. As per claim 13, Ding discloses the invention substantially. Ding does not expressly disclose that the mode controller is constructed as a manual control on the computer system. However, Jacobs clearly discloses that the mode controller is constructed as a manual control on the computer system [Fig. 4; col. 3, line 64 -- col. 4, line 10; audio CD mode switch DM_SW

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56]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cited references as both are directed to run a computer system in two different operating modes with two different operating systems. Moreover, it is clear from the discloser of Jacobs that the mode controller can be constructed as a manual control on the computer system.

14. As per claim 15, Ding discloses the invention substantially. Ding does not expressly disclose utilizing different BIOS when a second operating system from a second partition of a disk is selected to boot a computer system. But a routineer in the art would use different or modified BIOS when booting a computer system from a second different operating system. The second different operating system could be different in characteristics in comparison of the first operating system. However, Jacobs clearly discloses utilizing two different BIOS for two different operating modes [col. 4, lines 37-67; convention BIOS ROM for normal computer operational mode and audio CD mode ROM for operating the computer in audio CD mode]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cited references as both are directed to run a computer system in two different operating modes with two different operating systems. Moreover, it is clear from the discloser of Jacobs that running a computer system in two different operating modes will require somewhat two different BIOS.

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15. As per claim 16, Ding discloses the invention substantially. Ding does not expressly disclose purifying an operating environment. But a routineer in the art would modify the operating environment according to a booting operating system. However, Jacobs clearly discloses how to purify the operating environment according to an operating mode of operation [full mode of operation or an audio CD mode; col. 1, lines 28-47; col. 3, line 64 -- col. 4, line 10; col. 4, lines 37-52; col. 6, line 66 -- col. 7, line 10]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cited references as both are directed to run a computer system in two different operating modes with two different operating systems. Moreover, it is clear from the discloser of Jacobs that running a computer system in two different operating modes will require somewhat two different operating environments.

16. As per claim 17, Ding discloses the invention substantially. Ding does not expressly disclose purifying the operating environment of the second operating system by limiting the use of keyboard and mouse of the computer system, and disabling PNP (Plug and Play) functions of the compute system. However, Jacobs clearly discloses purifying the operating environment of the second operating system by limiting it to an audio CD mode [col. 1, lines 28-47; col. 3, line 64 -- col. 4, line 10; col. 4, lines 37-52; col. 6, line 66 -- col. 7, line 10]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cited references as both are directed to run a computer system in two different operating modes with two different operating systems. Moreover, it is clear from the discloser of Jacobs that it is

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possible to purify the operating environment of the second operating system by limiting the use of keyboard and mouse and disabling PNP functions of the compute system.

17. As per claim 24, Ding discloses the invention substantially. Ding does not expressly disclose about executing a resident program to detect the status of the mode and display.

However, Jacobs clearly discloses detecting the audio CD mode switch is enabled and displaying the audio CD mode on a display screen [col. 3, line 64 -- col. 36, line 10; col. 6, line 66 -- col. 7, line 28; col. 7, lines 40-43]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cited references as both are directed to run a computer system in two different operating modes with two different operating systems.

Moreover, it is clear from the discloser of Jacobs that it is possible to have a resident program to detect the status of the mode of operation and display it on a display screen.

18. As per claim 25, Ding discloses the invention substantially. Ding does not expressly disclose that the second operation mode include music playing mode. However, Jacobs clearly discloses that the second operating mode of the computer system is an audio CD mode [col. 1, lines 28-47; col. 3, line 64 -- col. 4, line 10; col. 4, lines 37-52]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cited references as both are directed to run a computer system in two different operating modes with

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two different operating systems. Moreover, it is clear from the discloser of Jacobs that the second operating mode of the computer system can be an audio CD mode.

19. As per claim 26, Ding discloses the invention substantially. Ding does not expressly disclose that the mode controller is constructed as a manual control on the computer system. However, Jacobs clearly discloses that the mode controller is constructed as a manual control on the computer system [Fig. 4; col. 3, line 64 -- col. 4, line 10; audio CD mode switch DM_SW 56]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cited references as both are directed to run a computer system in two different operating modes with two different operating systems. Moreover, it is clear from the discloser of Jacobs that the mode controller can be constructed as a manual control on the computer system.

Allowable Subject Matter

20. Claims 5-10 and 18-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

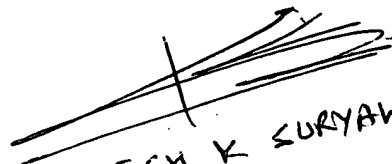
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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Suresh K. Suryawanshi whose telephone number is 571-272-3668. The examiner can normally be reached on 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee can be reached on 571-272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


SURESH K SURYAWANSHI